

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NO. 09-10206-RWZ-WGY-GAO

In the Matter of
JEFFREY AUERHAHN

ORDER
September 22, 2010

ZOBEL, D.J.

In its order dated July 7, 2010 (Docket # 55), the court defined the issues to be tried and the process for establishing the record. Bar Counsel seeks to clarify the issues and both parties present objections to some proposed additions to the record by the other. (Docket ## 60, 61 and 64.)

The Issues (Docket # 61)

Bar Counsel's motion to "clarify" the issues by adding a third, is denied.

The Record (Docket ## 60, 61, and 64)

Respondent's designations to the record, items numbered 1 through 10, are admitted. Bar Counsel's objections to items 7 and 9 are overruled. The court is unclear what is encompassed within number 11.

Bar Counsel's additional designations are admitted to the extent Respondent does not object thereto. That means that the record includes without objection items a, b, c, g, h, j, l, m, n, p, q, r, t, u, v, y, bb, ee, ff, gg, ii, jj, and kk.

Respondent's objections to items o, s, w, x, z, aa, and hh are overruled and the

record includes them.

Respondent's objections to items d, e, f, i, k, cc, dd, and ll are sustained.

Respondent's counter designations are denied. .

Motion for Disclosure (Docket # 62)

Respondent moves for an order that Bar Counsel provide specified exculpatory materials.

The motion is denied.

Motion to Strike or for Permission to Respond (Docket # 65)

Bar Counsel moves to strike several of respondent's objections and designations. The motion is denied.

Motion for an Extension of Time (Docket # 66)

The motion is allowed. The parties shall file their briefs and submit the record on or before October 13, 2010.

The court will hear argument on November 10, 2010 at 9:30 a.m.

September 22, 2010

DATE

/s/Rya W. Zobel

RYA W. ZOBEL

UNITED STATES DISTRICT JUDGE